

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

Brooks M. Witzke,)	C.A. No. _____
)	
Plaintiff,)	
)	
v.)	
JUSTICES OF THE SUPREME COURT OF DELAWARE,		
Collins J. Seitz, Jr.,)	
James T. Vaughn, Jr.,)	
Tamika R. Montgomery-Reeves,)	
Gary F. Traynor,)	
Karen L. Valihura,)	
and,		
MEMBERS OF THE DELAWARE BOARD OF BAR EXAMINERS		
Jennifer C. Wasson,)	
Randolph K. Herndon,)	
)	
Defendants.)	

**PLAINTIFF’S MOTION FOR AN IMMEDIATE TEMPORARY RESTRAINING
ORDER AND A PRELIMINARY INJUNCTION AND EXPEDITED HEARING AS
SOON AS PRACTICABLE**

For the reasons set forth in the accompanying Brief, Plaintiff Brooks Witzke respectfully requests that this Court enter an immediate temporary restraining order to restrain Defendants from inflicting more unconstitutional delay on Plaintiff’s bar admission and that Defendants issue a final order on Plaintiff’s law license within 5 days of the TRO issuance. Plaintiff also requests that this Court issue a preliminary injunction restraining Defendants from enforcing four (4) of their bar admissions rules that violate the Privileges and Immunities Clause as well as the Dormant Commerce Clause.

Plaintiff provided Defendants notice of the filing of his complaint by emailing today a copy of that complaint to Defendants’ counsel listed in the Certificate of Service. As of this filing, none of the counsel contacted have consented to the relief Plaintiff seeks. Immediately

after filing this motion with the Court, Plaintiff provided additional notice of this motion to Defendants by emailing the Motion and accompanying Brief to Defendants' counsel.

Furthermore, the filing of the TRO will not come as a surprise to the Defendants as Plaintiff has sent numerous letters to Defendants' counsel where he stated an intention to pursue legal action if Defendants did not issue a final decision on his license to practice law. Letters were sent via-certified mail on July 14, 2021, and Plaintiff also called and left numerous messages for Defendants' counsel. Plaintiff also sent emails to Mr. Alexander Mackler, counsel for Defendants. To date, none of Plaintiff's contacts were returned by Defendants' counsel.

Respectfully Submitted,

DATE: November 22, 2021

_____/S/_____
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*Please note this is a law firm accepting service

CERTIFICATE OF SERVICE

I hereby certify that on the day that this Motion was filed and accepted by this Court, November 22, 2021, I caused the foregoing document to be filed electronically with the Clerk of the Court through the CM/ECF System for filing and served on counsel registered to receive CM/ECF notifications in this case. I also caused the foregoing document to be e-mailed to the following counsel for Defendants at the email address identified below and if no such email address is identified to be mailed, via First Class mail, to the mailing addresses identified below:

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